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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 11-0068 JSW
Plaintiff,) STIPULATION AND [PROPOSED]
v.) ORDER REQUESTING STAY OF
ARTHUR ABRAHAM,) REMAND UNTIL HEARING ON
Defendant.) EXCEPTIONAL CIRCUMSTANCES
Date: March 10, 2011 (Change of Plea)
Time: 2:00pm
Place: Courtroom 11, 19th Floor

20 Defendant Arthur Abraham is currently set to appear before the Court for a change of plea
21 colloquy on March 10, 2011, at 2:00pm. Because the crime to which he will plead guilty,
22 possession of child pornography, is considered a crime of violence under 18 U.S.C. § 3156(a)(4),
23 Abraham is subject to mandatory remand under 18 U.S.C. § 3143(a)(2) when the Court finds him
24 guilty, unless Abraham can show that exceptional reasons support his continued release on bond.
25 18 U.S.C. § 3145(c).

26 Abraham intends to make a showing of exceptional reasons due to his ill health, and his
27 attorney requires additional time to obtain medical records from his treatment providers in order
28 to make this showing. *See Declaration of Janet Metzger*, filed herewith. Also, Abraham is

1 scheduled for two medical procedures, an MRI brain scan and a full body CAT scan, that are
2 more appropriately performed while he is out of custody.

3 For these reasons, the parties agree and respectfully ask that the Court stay Abraham's
4 remand into custody until the Court has heard Abraham's motion for release under 18 U.S.C.
5 §3145(c). The parties request a hearing date of April 28 or May 5, 2011, depending upon the
6 Court's schedule, and will be prepared to discuss a briefing schedule at the change of plea
7 hearing.

8 SO STIPULATED:

9 MELINDA HAAG
10 United States Attorney

11 /s/
12 DATED: March 8, 2011

13
14 OWEN P. MARTIKAN
15 Assistant United States Attorney

16 DATED: March 8, 2011

17 JANET METZGER
18 Attorney for Arthur Abraham

19 [PROPOSED] ORDER

20 Per the parties' stipulation and for the reasons stated above, defendant Arthur Abraham's
21 remand is hereby stayed until the Court has heard his motion for release pending sentencing
22 under 18 U.S.C. § 3145(c).

23 SO ORDERED.

24 DATED: March 9, 2011

25
26 HON. JEFFREY S. WHITE
27 United States District Judge

